

**MINUTES OF REGULAR MEETING OF
THE REDEVELOPMENT COMMISSION OF GREENSBORO
TUESDAY, MAY 16, 2006**

REGULAR MEETING

The Redevelopment Commission of Greensboro met in regular meeting in the Planning Conference Room, Third Floor, Melvin Municipal Office Building, on Tuesday, May 16, 2006 at 5:08 p.m. Commissioners present were: Chair Joe Wood, Bill Benjamin, Nettie Coad and Jerry Leimenstoll. Dan Curry Barbara Harris and Dyan Arkin represented the Housing and Community Development Department (HCD). Jim Blackwood, Esq., was present as legal counsel for the Commission.

Chair Wood asked that anyone addressing the Commission to come to the table and speak into one of the mikes so that the recording secretary can pick up your name, address and comments for the record.

1. APPROVAL OF THE MINUTES OF APRIL 18, 2006 REGULAR MEETING.

Chair Wood said on page 4 of the minutes there was one correction. Under the sentence that says, "There was a general discussion between Commissioners, staff and the Dwigins. Chair Wood called the question. The Commission voted for 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Leimenstoll. Nays: None.)" There were only three people at the meeting, so that vote had to be 3-0.

Mr. Leimenstoll moved approval of the minutes of April 18, 2006 as amended, seconded by Mr. Benjamin. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

Chair Wood asked Mr. Curry if there was anything in the way of updates that could be done while awaiting the arrival of the Commission's attorney?

3. OLE ASHEBORO NEIGHBORHOOD: UPDATE ON 326 AND 328 EAST LEE STREET.

Mr. Curry said Item 3 would just be an update. He said staff had not had any communication with Mr. or Mrs. DeFreitas. Staff understands from their contractor that they are out of the country and have been out of the country for a while. Staff does not at this point have an updated or signed construction contract on that project. He said staff had not seen any work going on at the site.

Ms. Harris said she did speak with the Defrietas' attorney and told the attorney the Commission would probably be getting to this item around 5:30.

Mr. Benjamin said the attorney was planning to come in but he did not think she had anything to add because she said her client has been out of the country.

Mr. Curry said staff was aware Mr. Defrietas was going to be out of the country. They were not aware that he was going to be out this long. He said all they could do is wait.

5. b. UPDATE ON S. ELM REDEVELOPMENT PLAN.

Mr. Curry said this was also just an update. There has been no action regarding this item.

6. b. DEVELOPER PROPOSAL FOR 1511 McCONNELL ROAD

Counsel Blackwood arrived at 5:15 p.m. and participated in the balance of the meeting.

Dyan Arkin, Housing & Community Development, said that Phase III acquisition for the Willow Oaks Redevelopment Project includes properties on McConnell Road, between O'Henry and Dewitt. Staff has recently been resurveying the properties on and around the acquisition list properties to determine the best way to move forward in this area. During that process, it came to staff's attention that a local developer, Allen Sharpe, and his partners, have either purchased or have options on properties within the block bound by McConnell, Washington, Dewitt, and Booker. Staff invited them here to discuss their proposed project with the Commission.

Allen Sharpe introduced his legal counsel, Derek Allen. Mr. Sharpe and two other developers are acquiring land and developing student housing along Cunningham, Perkins and Booker Streets. This area has been identified for student housing development because of its proximity to A&T University and Bennett College, both of which have housing deficiencies. They chose the 4.1 acre McConnell Road site because of the number of houses in disrepair and the amount of vacant land. The intended development would be three-story all brick buildings consistent with the other student housing being built nearby. Approximately 120 units are possible, but will probably require rezoning to either CD-PD infill or CU-RM26 zoning. During negotiations with the owner of 1511 McConnell, Patrick Isley, they were informed that this property is on the Commission's acquisition list, although Mr. Isley was not the one to provide that information. The only affected property on the Commission's acquisition list is the Isley property.

They have discussed their intentions with Local Ordinance Enforcement staff and feel they have their support. The developers have talked with some Council and Zoning Commission members about rezoning and think they have several people on their side for it. At the same time, neighbors, including Mount Zion Church of God, basically came out of the woodwork and offered to sell their property. Only two of the properties in this block are owner-occupied, and Mr. Sharpe has met with them and their families and explained that they could remain if they chose to. Both called back within a few days and said they would like to sell and move from that location.

Mr. Sharpe presented for illustrative purposes a very rough draft of the site layout. Ms. Arkin stated that Mr. Sharpe and his associates had met with staff and discussed some design elements that staff would like to see, such as parking behind the buildings on McConnell.

Chair Wood asked how it would fit into the developer's scheme of things for us to sell property in an adjacent block that the Commission has previously acquired to the developer. Mr. Sharpe said he would like to have it for parking, which is about 15 spaces short at this point. He suggested also that e possibly could do market rate apartments on that site.

Mr. Benjamin asked if what Mr. Sharpe was proposing consistent with the adopted Redevelopment Plan for that area. Mr. Sharpe said the Comprehensive Plan shows the area as mixed use.

Dan Curry, Housing & Community Development, said the Willow Oaks Redevelopment Plan currently shows it being single family residential. Mr. Benjamin said the Commission would either have to amend the Redevelopment Plan or object to their request for rezoning. Ms. Coad said she thought it would be more feasible and realistic to revise the Redevelopment Plan.

Mr. Sharpe said he talked with about six or seven different people, including City Council members,

local ordinance enforcement and zoning staff, and the Mayor and nobody mentioned this area was in a redevelopment plan, nor did they mention the Commission. Chair Wood said the Commission had had this discussion over the past few months, finding that the Commission has jurisdiction that has been overlapped and needs to work together with other city staff and departments.

Mr. Sharpe said his properties would have everything, including appropriate landscaping. Ms. Arkin said staff would probably advise against fencing the area off because it will look like a compound.

Chair Wood said some folks in Lindley Park had objected to the three-story buildings, which were out of character with single story and two-story houses and some people just didn't want to look at them.

Ms. Coad said she would like for staff to answer the question, "What are we going to do with the other side of the McConnell Road and do we have any houses on acquisition that are further down, closer to O'Henry?" She asked if there were any structures that would remain and what would this do for the other side of the street?

Ms. Arkin responded that staff was just beginning to re-explore other possibilities for this area by doing some data collection, looking at each individual house in terms of whether it has been a rental or owner-occupied and that near O'Henry are a couple houses that are in great shape. In normal redevelopment mode, we would not look at them as possible acquisitions. If this developer is going to put student housing on one side of McConnell, that is significantly going to impact what happens across the street. Staff will need to take that into consideration, but it just has not been done yet.

Sam Pass, 515 Martin Street, member of the Gorrell Street Neighborhood Association, said he had a personal interest in this particular section of Greensboro. It is the neighborhood in which he was raised; his family had businesses there; and he went to church at the former Mount Zion Holiness Church that was demolished. McConnell Road has historic property on it. Right at the intersection of McConnell, Washington and the Benbow Road, there is the old L. Richardson Hospital, where many African Americans his age were born. The Sebastian House is on the corner. On Booker Street, there is a wonderful stone building that absolutely has to stay. McConnell Road was a very important corridor. He would be concerned about the appearance of McConnell Road itself and how the development of student housing would look with the wonderful work they did down in his old neighborhood, Morningside Homes, and how the student housing would impact the new Willow Oaks development and the housing across the street on McConnell Road. He felt it would have a negative impact. Mr. Pass went on to say that there is plenty of student housing at A&T campus and Bennett College, as well as the apartments that have been built on Cunningham, down Booker. He would like to think that the Commission would reconsider and do something like assisted living housing for the elderly or affordable single family housing on McConnell Road where they are proposing the apartments because apartments on McConnell, especially what they are proposing, just would not fit with the Willow Oaks neighborhood across 29. He asked that the Commission reevaluate what might be put on that McConnell Road strip because he thinks the McConnell Road strip was nice when he was growing up and could be the same today with individual homes with owners keeping their property up.

Mr. Benjamin said it sounded to him as though staff is getting this information first hand and they need to absorb it, but as he sees it, what you would have to do is allow or accept within our actual Redevelopment Plan or eliminate the Redevelopment Plan for that area so that we are no longer concerned about it. His issue basically is there has been such a big investment in the Willow Oaks that he hated to see any kind of negative impact it, even though the natural break of 29 helps separate this off. He did not understand why we went across 29, but there was a reason in the originally adopted

plan. So he guessed he would like to understand all of that and move slowly on it because he would not want to affect adversely \$80 million in investment in Willow Oaks.

Ms. Coad said the neighborhood, particularly that side of the street was just as dilapidated as Morningside. It was blighted and some of them have actually been boarded up for years. Her concern is how you reinvest the plan to make a neighborhood fit and nobody seems to have the answers.

Chair Wood said he thought there were a lot of issues here. First of all, which Nettie has just addressed, is how this area, which is across 29, fits into the larger Redevelopment Plan. We also have all expressed that whenever private dollars can be put into an area so that taxpayer dollars do not have to be, that is also a goal of ours too. So while the Commission may not come out and say that we endorse what you are doing, we endorse the concept at this point. We have always believed when private capital can be attracted into a blighted area, it helps us to our job too. He thought there were a lot of issues that need to be addressed here and he appreciated Mr. Sharpe coming forward and giving the Commission his plans. However, he thought the Commission needs to have staff sit down with Mr. Sharpe and possibly Mr. Leimenstoll, since he is an architect and has been our designated "go to" guy whenever a developer, whether it be Habitat or private, wants to work in one of our neighborhoods, to review your site plans and just have staff look at this and decide how this could possibly fit into our long range plans. Then they could come back to us and say, "This is consistent with the plan," or, "This is counter to the plan." Do we really need to be on this side of 29 and look at all the larger issues or is there something that the Commission should continue on with our plans with what we have in mind, if we even have anything in mind at this point for that side of 29. In our Redevelopment Plan, single family homes are here, but in the City's larger comprehensive land use plan, this fits with that, although it would not necessarily fit with what we are doing.

Mr. Sharpe said that was what they talked with staff about and thought that once you put all the objectives of the Redevelopment Commission down, they think that there will be more things in common with both sides, us and the Commission, than there would be things that are opposed.

Mr. Leimenstoll said he thought that was what they should do. He also thought Mr. Pass's points are very good because one reason that he was sure that that little leg was out there is because McConnell is a street and has continuity, regardless of where there is another property line or bridge. So that needs to be part of the discussion.

Mr. Sharpe said he though Mr. Pass's comments were well taken. If he could get the other side of that street, he thought he would leave that stone house. It is a great house. And quite honestly, they had looked at actually going further across Dewitt Street and actually purchasing the Sebastian House. Some of the landowners that came out on the East Washington side had given them names and contacts to try to actually get the Sebastian House. He told them if they would help him get it, he would buy it, donate it back to the University and let their students bring that house back. Then if they wanted to use it as a teaching facility or graduate housing or something, it was too great a structure to remove. He did not have a problem leaving wonderful houses. He thought that was great. He was not in charge; he came in on the back end of the removal of the Mount Zion Church of God. They had already scheduled the demolition of that. He just ultimately will pay for it through his contract with to reimburse them.

Mr. Sharpe said he did not want the Commission to revise its plan. He thought that was the wrong thing to do. He thought the Commission needed to leave the south side of McConnell Road in the plan or you need to do what Ms. Arkin and he had talked about - buying the houses that are in disrepair because

he did not want to build a student facility over there and have the current tenants that are in some of those houses around what he is going to build. He will have a \$13 million project standing there and to have a house that has a tax value of less than \$40,000 that has some type of illicit activity in it is not going to help him rent his student facility. Some of those properties along there that need repair, he could repair them and rent them out at market rates. He did not want to change McConnell Road on that side. He thought it is great you want to leave it in your Redevelopment Plan, if that is what you want to do. He said most of the neighborhood was zoned RM-18, with the exceptions of the Perkins, Booker, East Washington block. Mr. Tipton is coming down with that block of Cunningham and Perkins. He is going to build five buildings on those two blocks. It is zoned, he has got it, and it does not have to go in for rezoning. He is going to get his units. Mr. Phillips is going to develop the east side of Booker Street down to Washington.

Chair Wood asked why Mr. Sharpe would want RM-26 as opposed to RM-18?

Mr. Sharpe said one reason is that you cannot end up building half a building. Maybe it would be short 3 or 4 units in a building so you either do a conditional use RM-26 to limit of buildings so that if it is four units per floor, you get the full use out of one building. The second reason you might do it is because you had to pay more for the land through piecing it individually together than you did on somebody going outside of town and buying one large tract of land at a lower cost. The only way to make the project work is with the student population in those apartments. They rent it by the room, essentially. They get two or three young people that want to be roommates just like a dormitory and that is how they rent it out. However, they provide cablevision, they provide water and everything else. The last meeting that he attended at A&T, they said they were 8,400 units shy for their population. He has over 200 units in the UNCG area. Over 60 percent of his residents are A&T students. So they are driving that far away. He said he would be willing to work with the Commission on the east side Booker Street, if there is something that he could do to either acquire that land for parking or for affordable housing. He was willing to go in there and try to fix up some on the south side of McConnell Street over the period of time that he can get help and cooperation from the Commission and the landowners, if they want to come out.

Chair Wood said the Commission appreciated Mr. Sharpe's presentation and keeping us informed. Not many people come to the Commission in advance with their plans, but he also realized that the Commission could be a stumbling block for Mr. Sharpe.

Mr. Sharpe said his address was 106 East Newlyn Street. Mr. Allen said his address was 2000 Renaissance Plaza.

Chair Wood said if it is the Commission's prerogative, he would like to ask that staff work very closely with them and keep us informed all along the way. He asked Mr. Leimenstoll to be the Commission's representative to look at things like site plans with his architectural background and if we are going to do it, figure out the best way to do this, do it right and keep the Commission abreast and keep us informed of what we want to do, if that is the Commission's prerogative.

2. CUMBERLAND NEIGHBORHOOD. PUBLIC HEARING ON REDEVELOPMENT PLAN AMENDMENT.

Mr. Curry said copies of the proposed amendment were in the Commissioners' packets. He said he would give an executive summary of what the amendment intends to do and he will also hand out a draft resolution.

Mr. Curry said this was an amendment to the Cumberland Redevelopment Plan, which was adopted in 1959. Overall the Cumberland Project was 92 acres that ran down to Market Street on the south, to the railroad tracks on the west, sort of between Lindsay and Summit Avenue on the north and went across Dudley Street into a portion of the A&T Campus. As you know, once you adopt a Redevelopment Plan, it is out there prescribing certain intended uses of properties and various types of restrictive covenants which are usually adopted as part of the Redevelopment Plan, prescribing not only land use, but at times also prescribing development standards for uses within those projects.

Several months ago you got an initial start of this conversation when staff introduced the developer representatives for a portion of the property in the Cumberland Area. The request is to amend the Redevelopment Plan for one block of the original area and that was Block No. 9, which was in the northwest corner of the project, basically bounded by Lindsay Street, the railroad tracks, a little piece of Summit Avenue and kind of went cross country, following some old property lines and then back down Murrow Boulevard. He said it was actually a portion of the Pet Dairy property. The actual Pet Dairy building fronts up on Summit Avenue and is mostly outside of the actual Redevelopment Area. The back corner of the Pet Dairy property does go into the Redevelopment Area. All the Galloway Buick property was within the Cumberland Area.

Mr. Curry said the request is to make a couple of changes in the Redevelopment Plan. Currently the property is identified for wholesale and light industrial uses in the Redevelopment Plan, which suited the uses that were developed on the property originally. Staff has received a request to take it to a mixed-use category. Staff is recommending either Central Business District (CB) zoning or Conditional District - Planned Development Infill (CD-PDI). Both of those current City districts allow for a wide range of land uses, most types of residential, most types of retail development and most types of office development. Those districts do generally exclude heavier industrial uses and manufacturing uses. However, most of the general things you would find in a downtown area in terms of retail, office and residential would be allowed in those districts. Staff is also recommending amendment of the Land Use Plan Map, which is Map #2 in the Redevelopment Plan, by showing that block for mixed use, as well as recommending amending of the zoning map. The other thing that this amendment does is provide a list of uses that would be restricted from appearing on this block and that is located on page 2 in the middle paragraph, where it starts, "Within mixed use areas..." and then it lists out a number of land uses that actually would be excluded and not be allowed within this development area. The last paragraph on page 2 provides that a sketch plan would be required to be submitted for development occurring within that area. And depending on what zoning districts were selected, that sketch plan would either come before the Commission or it would come before the Technical Review Committee (TRC) of the City of Greensboro. The reason it is structured that way is under the PDI zoning, the City already has a plan review process that is part of that district requirement and requires that the applicant submit certain information to the City that is reviewed by the Planning Department and the TRC. Staff's recommendation would be to allow that process to work as it is designed to work. There are no similar requirements for CB district zoning in the current City Development Ordinance so staff did include here that if it goes to CB zoning, that the sketch plan would be submitted back to the Commission for its review and approval. He cautioned that the sketch plan is very basic information. It requires that they identify the general categories of uses that will occur generally on the site. It does not get into design and all those kinds of issues. Staff is not proposing here that there be any additional design review requirements placed on the property, but at least there would be a sketch plan requirement submitted.

Chair Wood said he would open the public hearing and each side would have twenty (20) minutes to speak to this, at which time it will be opened up for questions.

Brian Byrd, Esq., 300 North Greene Street, Suite 1400, and Mary Ellen Lowery with Kavanagh Associates, Inc., in Greensboro, 1910 Pembroke, were speakers in support of the amendment.

Mr. Byrd said they provided the Commission with some materials at the prior meeting, but he would pass these around again just for purposes of making it a part of your records and refreshing your memory.

Mr. Byrd said Mr. Curry covered most of the background, but he had just a little additional background. Their preference would be that they would be coming to you with a fully completed plan for the redevelopment of this property, such that you could see what they intend to do here. However, they are still attempting to assemble property and have only part of the property under contract. The properties that they have under contract at this point are show in Tab 4 in the red outlined area. They are asking for an amendment of the Redevelopment Plan that will allow a mixed-use development. It does not include the property they do not have under contract; however, they do have a letter of support from Flow Motors, the owner of property to the south. As you can see, Flow is supportive of this amendment of the Redevelopment Plan.

Mr. Byrd said one item they would like to discuss with the Commission with respect to the language of the proposed amendment is, in the definition of mixed use, how it describes the location of parking to be located within mixed-use projects. It says that parking will be located to the rear and sides of building and screened from view. A central problem they have with committing to putting all parking behind buildings is if they do not get other property under contract at this site, they are going to be left with very little frontage there on Summit Avenue. They would like to have some flexibility with respect to that requirement to be able to put a very limited amount of parking in front of buildings. In terms of language, he thought they could make a very minor change there to provide some flexibility to say something along the lines of parking located primarily to the rear and sides of buildings. He understands the intent of the "screen from view" language. He did not think the Commission wanted fences up around parking areas to completely screen parking areas. He thought what they were talking about is to the extent possible the view of parking from adjacent streets will be obscured by buildings and other structures located on the site. They would propose a little modification to that language to say, "and obscure from view to the extent practical."

Mr. Byrd said also with them is Fred Preyer, who has been the real estate broker working on this transaction and other properties in the area and has a great deal of knowledge about this area and the plans for development of this property.

Ms. Lowery said the only thing she would like to add is they are trying to assemble more properties in this block so that they could have a nicer master plan. One of the concepts they talked about was a two or three-story live/work concept and they felt that if they did take that route of a live/work concept as a part of this, they would need some parking in the front of the building. She said they thought of the live/work concept as being some retail or neighborhood business and residential on second and/or third floors. They would need some on-street parking, not a lot, to serve the retail businesses.

Fred Preyer, 4310 Regency, said this has been a long, hard drive as far as getting somebody to express interest in the Pet Dairy building. It has been there for a lot of years and has been sort of a blight on things and then when Galloway sold to Flow, it opened up the possibility of bringing a more planned project, rather than just the one building project. Kavanagh has really been terrific in working up a master concept. If that whole block could be somehow packaged together it hops over a

boundary, which has been that railroad track, and extends for the first time the central business district, just like they did on South Elm in hopping over the railroad tracks in Southside. Here you hop over a boundary, which is the railroad track again, and opens up a wonderful vacant piece of land and possibly put to use a building that badly needs someone to care.

Chair Wood asked if there was anyone present to speak in opposition to this request, and no one came forward. Chair Wood closed the public hearing.

In response to a question from Mr. Benjamin, Counsel Blackwood said he would add a comment because he was familiar with the language concerning Flow Motors. They did not want to be interpreted as coming in as a consenting owner at this time with the idea that that would make them subjective to changing the use themselves from wholesale and light industrial. He is aware of the language in the Flow letter from discussion with their legal counsel. He told them that instead of saying they "consented to it," they could just say, "they were not in opposition to it." That is why that language was crafted in that fashion.

Counsel Blackwood said Mr. Curry did not really refer to it, but at the very beginning the proposed amendment states that it only affects those that consent to the amendment and as they consent to it.

Mr. Curry said, to be clear, the amendment that the Commission would act on is the entire block. You are amending the entire block of the plan because this particular property owner is not at this time consenting to other changes. In fact, the plan has been changed for that block.

Counsel Blackwood said it just means that it does not affect that owner until they consent.

Mr. Curry said until they consent, they would not be able to develop it under the new arrangement. In other words, they would have to consent before the zoning could actually be changed.

Mr. Benjamin asked if the old plan was a subset of the new plan.

Counsel Blackwood said everything the Commission does is a subset of the old plan, if they wanted to use mathematical language.

Mr. Benjamin said he was just saying, if we were to pass it and go forward, and they said, "No, we are not going to change it," what would be the ramifications? Does our plan only extend to that portion that is actually accepted? That is what it sounds like we are trying to do. He was trying to figure out how you do that.

Counsel Blackwood said basically that is exactly what was adopted. It is once we have sold the properties subject to the plan as it was in existence and also recorded in the courthouse, any modification, besides meeting the requirements of the Statute, is also further subject to consent of the developer of that property at such time. So that is what it is trying to address.

Mr. Benjamin asked if this could actually apply to property that is not strictly in that block.

Counsel Blackwood said no, it references to begin with the resolution and the language that is in your package being attached to the resolution as may be modified as you finally adopt it. But the proposed resolution and the references that this is referring only to that Block 9, which is included in a specific plat, and that it is then as to that plat and the overall restrictions for all Cumberland would be subject to

an amendment to allow this, but only as to Block 9 and only as any owner of Block 9 consented to the signing.

Mr. Curry said he thought in reality he had figured out where Mr. Benjamin was going. The amendment is to the overall plan because it is adding a new use category called mixed-use. However, where we describe the amendments to the Land Use and the Zoning Maps, we have limited it to Block 9. So, in effect, we are only changing the geography of the plan on those two maps. So we really are amending the entire plan, but then the map limits the geography in the plan.

Chair Wood asked how does what they are talking about fit into this. He said he was looking at the proposed amendment on page 2. You talk about what uses are prohibited and you talk about how you wanted parking behind the building, how does what they want apply to this?

Mr. Curry said he tried to cut it short because the Chair had said he wanted the Reader's Digest condensed version, but maybe he did not say quite enough. Right now and before this amendment, the Commission really does not have the ability to review development plans on this property, other than zoning changes that come forward, but you really do not have a plan review process in place. Under the mixed-use definition it was suggested to say primarily to the rear and side of the buildings. He would yield to Mr. Leimenstoll, but he thought staff was very comfortable with adding that additional language and the "screen from view" statement, he would suggest either dropping it or accepting the language that was suggested. He said if the Commission accepts their suggestion on the change in the language, staff would change the language on the amendment. The resolution simply refers to the amendment.

Mr. Benjamin and Mr. Byrd engaged in a long discussion as to the type rezoning for the property, whether it should be PDI or CB. Mr. Benjamin was concerned that CB had so few restrictions, while PDI did have certain restrictions. Mr. Byrd suggested that perhaps they could stipulate final approval by the Commission, if other regulatory approvals were not necessary. Mr. Benjamin's main concern was location of parking, which some of the regulatory bodies did not require shown on sketch plans. Mr. Byrd pointed out that Kavanagh had yet to design the project for this property and this further depended on how much more property Kavanagh was able to acquire adjacent to the subject property.

Chair Wood asked Counsel Blackwood what would be the format for moving forward on this? Do we say that we read the resolution into the thing and say before that that it is subject to any changes and the wording of the proposed amendment that is worked out between staff and developer?

Counsel Blackwood said he thought the Commission needed to arrive at the wording that you wish in the proposed amendment prior to the wording of the resolution. What he was hearing really deals with concerns about the language relating to the parking at the beginning and then whether there was any concern about the extent of information submitted in the sketch plan. He thought they had pulled out the material in Section 4, which was the material required by the TRC.

Mr. Curry said it references that as the model, but he did talk with Alec MacIntosh with Planning earlier this afternoon. Mr. MacIntosh indicated that he thought the sketch plan did not require location of buildings and parking. You can solve this if you choose to include that as a requirement instead of saying at the bottom of page 2 that the sketch plan submitted for review and approval shall be required to contain only that information required by the ordinance, which is the way it would go with PDI by saying it would be a sketch plan showing buildings and parking areas.

Mr. Benjamin said in the CB District, at which they were now looking, did not have to have on-site parking.

Mr. Byrd said just so he would not be misleading anybody and with all deference to Mr. MacIntosh who knows the Development Ordinance front and back, but he was looking at the chart of information required for various types of maps and it has a little "x" mark under sketch plan for dimensions, location and use of all existing and proposed buildings, distances between buildings measured wall-to-wall at the closest point, distance from building wall measured at the right angle to the closest property line. He thought what Mr. MacIntosh was probably referring to were the zoning sketch plans that the Planning Department gets for the PDR and PDM rezonings, which are required to be in excess of 25 acres. On those types of sketch plans, you do not get into building locations; you get into pods and different types of uses. So they typically do not require building locations in those sketch plans. When you get into infill, which has to be less than 25 acres, you get to a scale where building locations do make sense and in his experience they are shown on them.

Mr. Leimenstoll said he had never done one of this scale where you did not have to show the parking.

Counsel Blackwood said you could address the parking by simply saying that it was showing building and parking locations right down there as Mr. Curry suggested. The idea we were trying to address was not necessarily to have to go through another public hearing process if a subsequent owner somewhere else in Block 9 wanted to have their property considered, it would fall within these parameters where they would at least have to come before the Commission for its approval, but it would not be the full-blown public hearing process again.

Mr. Byrd said he wished to point out one thing as well while they were talking about parking, he understood the concern about on-site parking. If they do seek a PDI rezoning, they do get some flexibility there with respect to the amount of parking that is required for a PDI zoning district. The zoning ordinance says that you initially start with the aggregate of the number of parking spaces that would be required for each use that you have. But then there are sort of relief valves there where you can be allowed to provide less than that number of parking if you can show that because of differing uses you have different hours of peak demand for parking spaces, which is what we would have here. Typically the peak for your residential parking demands is not going to conflict with retail peak hours. If you can show that you have peak demands at different hours, they will essentially allow you to count some of those spaces twice.

Mr. Byrd said he understood that a CB did not have any of that, but he did not want to tie them to something that is going to be a higher standard than a PDI.

Mr. Benjamin asked why would they not want this plan to follow the plan for the rest of the Cumberland Project Redevelopment District. Why would we not say, it is great for them and it ought to be great for everybody else. Let's just put it in there instead of restricting it to Block 9?

Mr. Curry said a large portion of the Cumberland area is solid residential development and he did not think they would want to go in and change residential areas to mixed use throughout the project. The only other areas that he thinks would consider making that kind of change might be the rest of the frontage between Murrow and the railroad tracks, all of which is fully developed right now with buildings that are pretty up-to-date and modern and occupied so staff was not being asked to revisit those development areas.

Mr. Leimenstoll had some comments on the possible parking problems. He said he would be agreeable for the Commission to work with the developer should the developer have those needs, rather than setting something in place at the outset that sets a specific standard because he did not think that was a position from which it was wise for the Commission to operate.

Chair Wood asked Mr. Curry if he had proposed language that they could add to the proposed amendment here so that the Commission can adopt the resolution.

Mr. Curry said he did not have a clear understanding of which language the Commission wants him to change. He understood what Mr. Leimenstoll just said, which would not accept the word primarily and change the screening to obscure.

Mr. Byrd said he thought he understood where he was coming from with that comment and wanting to set the standard very high here and up front. He hoped the Commission would understand the perspective in which Kavanagh is coming at this from in that they are making a very significant capital investment here up front and you are asking us to say, "Trust us, we will work with you," and he believed they would in good faith. However, Kavanagh is the one spending the money here and so they would ask the Commission to trust them that we are not going to do something here that is going to be detrimental to this area.

Mr. Leimenstoll said he just felt that was what they should do and it stands as is unless there is something in there that we can change to give it the kind of priority that he believes it needs. Again, that was his opinion and may not be the opinion of the Commission. The community at large has made a major investment here. He did not know how many millions of dollars. So there is a lot of money at stake on both sides of this picture. He did not believe, from his experience, that this is an unreasonable thing to ask from the developer. He did not perceive it to be a deal breaker.

There followed a long discussion about what changes should be made in the language in the amendment.

Chair Wood asked if everybody was comfortable with the following changes. In the first paragraph of the proposed amendment, where the sentence ends: "entryways sited toward public streets", we are adding: "Parking shall be located to the rear and sides of buildings unless approved by the Redevelopment Commission." And on that same page, in the last paragraph, two lines from the end, where it says: "or other such ordinance of similar import" we're adding, "together with building and parking locations." He asked if everybody was comfortable with that.

Ms. Coad moved that the above new language be inserted into the amendment at the proper places, seconded by Mr. Leimenstoll.

Chair Wood called for a vote on the changes in wording of the amendment. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

Chair Wood said he would read the resolution into the record for a motion to approve and a second.

The resolution as read into the record is attached to these minutes and made a part of the minutes by specific reference.

Mr. Leimenstoll moved that the Resolution of Redevelopment Commission of Greensboro Authorizing

Amendment to Redevelopment Plan for Cumberland Project be approved, seconded by Ms. Coad.

In response to a question from Ms. Coad, Chair Wood said this was a duly advertised public hearing and any members of the public could have appeared and asked questions.

Mr. Curry said the property owners inside the area were notified.

Ms. Harris said a number of the property owners who received notice of this public hearing came in and their questions were answered about what areas would be affected by this amendment.

Ms. Coad said she disliked sitting here and approving something without being mindful of citizens that ought to be participating. She had to bring up the fact that she did not hear the community voice at all.

The question was called. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

Chair Wood called for a five-minute break.

3. OLE ASHEBORO NEIGHBORHOOD: UPDATE ON 326 AND 328 EAST LEE STREET.

No report.

4. GORRELL STREET NEIGHBORHOOD: DEVELOPER PROPOSAL.

Ms. Arkin said in the Gorrell Street Neighborhood the City currently owns four lots in an existing Redevelopment Area. In the March meeting, staff brought to the Commission a preliminary plan and asked that Mr. Leimenstoll, with staff, be authorized to review and approve plans for this project. The plans have been reviewed and approved and staff has received the required project financing information. Although the Commission does not own the lots, the Commission is being asked to support the project and make a recommendation to City Council that these lots be sold to O. U. Chavis Contracting, subject to the upset bid process.

Mr. Leimenstoll said he had nothing to add.

Mr. Benjamin moved that the Redevelopment Commission support before City Council the proposed sale by the City of these lots subject to the Commission's restrictions for the purposes of building four single family homes. Ms. Coad seconded the motion.

Chair Wood asked if there was anyone present to speak to this matter.

Sam Pass, 515 Martin Street, said his home was in the Gorrell Street area. There were a couple of things he wished to address regarding this development proposal. First, they are affiliated and have direct relations with the restoration of the historic Magnolia House and there is a lot directly behind the Magnolia House property that Redevelopment owns and they were told in that Magnolia House had the first right of refusal of the lot behind Magnolia House. They have moved forward with Magnolia House and are in the process of their Phase II and should have Magnolia House completed by the fall or winter of this year. They would like to have that lot directly behind Magnolia House because they could use it for parking as an addition to their property. He did not know what the Commission's process is for them to be able to have that property as a gift as they would like, but he was here to address that issue.

Ms. Harris said, just for clarification, the lot Mr. Pass is speaking of is not one of the lots that is on the Commission agenda today.

Mr. Benjamin said the Commission was really trying to get through the agenda. He remembered Mr. Pass's business in the past and understands where he is. He did not think there was going to be a problem. He thought they just needed to keep to their agenda today.

Mr. Pass said obviously the Commission was talking about the lots that Gate City CDC previously owned and are ready to develop that. He said the Magnolia House also has an economic development program and they have partnered with and are collaborating with building supply companies here in the Greensboro area as well as the School of Technology and the School of Engineering at A&T, as well as Clinton Gravely & Associates, the architectural firm, as well as Roger Stanfield General Contracting Company, as well as some of the other corporate entities in Greensboro, such as Home Depot, and even more importantly, the Gorrell Street Neighborhood Association that is very interested in making arrangements for those lots to be developed as well as the community itself. They are in the process of putting together a very strong package or proposal to show what they intend and would like to do as far as redeveloping those lots that Gate City CDC previously owned. As the acting president of the Concerned Citizens of Gorrell Street Community Association, he is asking the Commission to give them time to bring forth their proposal to show the Commission what they would like to do to make their neighborhood more beautiful, safer and to show what they are ready to do, as far as the area in which they live.

Ms. Coad said she appreciated Mr. Pass's comments and she has a long commitment concerning the care of the Gorrell Street area. We are talking about some properties the Commission has been dealing with a long time and you would have to go the required process to do that, not just by word of mouth. You have to have a plan and all that. She knew he was asking the Commission to wait, but you have no idea how long the Commission has wrestled with that property. It is time for something to be done about it.

Mr. Pass said he appreciated that. However, nobody had come to them since Gate City CDC was disbanded and said, "Hey, Gorrell Street, what do you want to do? Let's do something." They did not even know anything about a developer coming in or approaching you all to make arrangements to do anything with the property.

Mr. Benjamin said that was not correct; the developer is not approaching us. They are approaching the City of Greensboro City Council. All we are doing is saying this is consistent with what the plan allows. All the Commission is doing tonight is to tell City Council that it is okay by us. In terms of what you need to do is really go to the City Council or go through the upset bid process and make an offer on the property.

Chair Wood told Mr. Pass he needed to go to City Council, not to this Commission.

Mr. Benjamin said the motion is that the Commission support the proposed sale for development of four single family homes on these lots, subject to the Commission's restrictive covenants or whatever restrictions we put on the property.

Council Blackwood said then in accordance with the statutes and laws to which the City is subject. How about that?

Mr. Benjamin said "Sure."

Chair Wood said it had been moved and seconded. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

5. SOUTH ELM STREET NEIGHBORHOOD:

a. AUTHORIZATION TO MAKE OFFERS FOR VOLUNTARY ACQUISITION:

i. 741 South Elm Street (Harris Property).

Mr. Land with Housing & Community Development said 741 South Elm Street is in the South Elm Street Neighborhood. Bonnie and Kyle Harris, who were here, currently own it. A portion of the building is currently rented to Old Skool Auto. The reminder of the building is used for storage space. It is zoned Light Industrial and the appraiser values the property at \$105,000. Staff is asking the Commission to set an offer amount for the property.

Mr. Benjamin said for purposes of discussion, he moved that the Commission make an offer of \$105,000, the appraised value, with the environmental language we have been using in our other offers, for 741 South Elm Street, the Harris Property. Ms. Coad seconded the motion.

Kyle Harris, 4711 Liberty Road, said he and his wife had been out of town and only got their package yesterday so they really have not had the time to analyze it. The only thing he could say was the appraised value was only about two-thirds of the amount they had been offered by the ballpark people.

Mr. Benjamin explained that right now, the Commission had not adopted a Redevelopment Plan over that area. They intend to and they will go through it in awhile. But this is strictly voluntary. If you do not agree with what we are offering, come back, get your own appraisal and give us feedback. One of the things they have run into is that the ballpark people came out and made offers that everybody has got in their head that that is the right number. That is not what the Commission is finding, based on the appraisals and, more importantly, it may have been offered, but it surely was not completed. So obviously you want to get a fair value or the highest value possible for your property. We are using taxpayer dollars and have to have a rationale. You will have a copy of this appraisal. You are going to be able to look at it and give it to your appraiser if you want to come back with a different one. He wanted to clear up a little about this appraisal. It actually has two different appraisers who were involved. Because there are Federal monies involved in this, there is a review appraiser who went back and said, "Did this particular appraiser do it right? Did they use the right techniques? Did they use the right approach to it?" And in this case, they said it was fine. Honestly this is an area that has problems; it has environmental issues. One of the things he thought they needed to keep in mind is that we are taking on in our proposal some of those environmental issues. One way to look at it is we are taking off of you those environmental issues. So those are some things to keep in mind. We would like to extend this offer. It is a voluntary offer and you can say, "Yea" or "Nay." And if there is an actual Redevelopment Plan adopted for this area, which is probable, then the Commission would have condemnation power where this appraisal would be used and whatever evidence you have that would contradict it would also come into play.

Chair Wood said the Commission did not have that power now. This is for the purposes of getting the ball rolling. You have every right to go to another appraiser, get the property appraised, come back at a

future meeting at a future date and say, "This is this." It may be that if you have an appraisal that is different from ours that we sit here and negotiate it out. This is a starting point and we have to start somewhere. So that is what the purpose of this offer is. It is a totally voluntary offer.

Mr. Harris said, aside from the value of the property, he had one tenant. He assumed that someone would talk with him about relocation. He said he had lots of personal things stored there also.

Mr. Benjamin told Mr. Harris that there was not a rush and in terms of all the things, your issues are practical. The Commission was not in here, say go out, and if there is a situation where you say, "Gee, I would like to continue using this storage area for four or five months," assuming that things are moving slowly and will continue so, he did not know that there was going to be a problem accommodating that.

Chair Wood said Mr. Land is a specialist in helping clients with relocation and helping them find comparable locations and things like that.

Mr. Land asked Mr. Harris to have his tenant call Mr. Land and set up an appointment where they could go over the process. Mr. Harris agreed.

Chair Wood asked if there was anyone else wishing to speak to 741 South Elm Street and no one came forward.

Chair Wood said it had been moved and seconded that the Commission offer the appraised value of \$105,000 for 741 South Elm Street, subject to the environmental language that is placed into all of these things and are standard conditions. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

ii. 124 East Lee Street (Gaddy Property).

Mr. Land said 124 East Lee Street is owned by Mr. and Mrs. Gaddy, who are present along with their sons. He had talked with him and they are not in agreement with the appraised amount. The Gaddy property is located on the southeast corner of the intersection of East Lee and Arlington Streets. The appraised amount came in at \$55,000. Staff would ask the Commission to set an offer amount for the property.

Ms. Coad moved that the Commission offer the appraised value of \$55,000 to Mr. and Mrs. Gaddy for 124 East Lee Street, subject to the environmental language and other standard conditions. Mr. Benjamin seconded the motion.

John Gaddy, 124 East Lee Street, said his son runs the business now. He just was not satisfied with the offer and he had spent a lot of money there. He had the gas tanks removed from the ground and then had to remove the waste oil from the ground. He then was required to remove the heating oil from the ground. Now he is told there could be some more barrels in the ground. He was hoping the government could reimburse him for some of the environmental things he was required to do. He wants to stay there because that is his livelihood.

Mr. Benjamin said Mr. Gaddy was present when he went over the purchase of property with Mr. Harris. He said the Commission was giving him an offer, but he was welcomed to go back and try to get his own sense of value. One of the things he was looking at in the package the Commission got was a letter of October 3, 2005 from DENR, and they say they think there may be some problems out there.

The letter was address to Mr. John Gaddy at 331 Grandoaks Drive in Gibsonville. Is that you?

A member of Mr. Gaddy's family advised that the letter did not reach Mr. Gaddy since his address his address was 313.

Mr. Benjamin said Mr. Gaddy needed a copy of that letter. Also, when the Commission purchases his property, the Commission will take over the responsibility of environmental problems that may crop up on the reports. So that would be part of the good news, but there is nothing you have to do today, except listen, take the appraisal, go look at it, talk with his people, see if you can find a different sense for the value of the property. Mr. Gaddy owns approximately 10,000 square feet and \$55,000 is about \$5 a foot. There was not much value given for the building, it was really more for the land. But there is also a value for taking away any responsibility for any kind of environmental problems.

Chair Wood said the son who has the business there now would be paid up to some amount to relocate the business too.

Ms. Coad asked the Gaddys if they received a greater offer from the people who were attempting to put the baseball stadium up there, and the Gaddys answered yes.

Benson Gaddy, 1707 Kildare Woods Drive, said he also had a great interest in this piece of property at 124 East Lee Street. He works at the Sheriff's office, but his livelihood is working on cars. The County cuts the budget every day. The Gaddy family is not accepting the \$55,000 offer. Change is good, but his brother has a livelihood that he has to keep up. If they are not going to give him enough money where he can start at zero balance and continue his business, they are not accepting. Secondly, if he has to draw money out of his retirement fund to have those tanks dug up, he will. His question is, are you going to reimburse them their money if there are no tanks down there? They have to have a livelihood and they have to have enough money to support families.

Mr. Benjamin said they should all keep in mind that the Federal Government is going to contribute some money towards cleaning up a blighted area. Sometimes the good of the whole has to be taken into consideration; however, this may turn out to be an opportunity. If somebody comes back and says there is a different value, we want to hear it. He understood the concern and problem is that you are not going to find some substitute that is going to work as well. Mr. Benjamin said he did not know that yet; you do not know that yet because you probably have not gone out to find out. Go do it and he thought that was the starting point, and then come back with the information. You can get a copy of the appraisal, you can look at it, and you can understand it better. The actual plan is for the betterment of this community. That area of town no one would say is thriving. Because of that, this is being redeveloped and sometimes there is a need to get some area included, because you have to have the whole area to get the job done. He told them to gather all information about the tanks being removed and oil contamination being removed. That is something that would be helpful in understanding the property. The appraiser was pretty careful about saying in his appraisal that he ignored that as a condition.

Ms. Harris said, for informational purposes, she had been to the Gaddys and spoke with Mr. Gaddy about this because he had told her he had taken the tanks out. At the time she was there, he was unable to find the documentation to support that and he was going to continue to look. The appraiser, based on estimates from the environmental company hired by the City, has deducted \$10,000 from the value as the potential cost for removing tanks. The environmental reports can only indicate the potential for a tank to be in the ground. The tests indicate an anomaly that looked like tanks.

Mr. Benjamin said when the property is graded, if there are no tanks, perhaps the Commission could escrow that money until the time as that information is brought together.

Ms. Coad said environmental issues have been a problem in their community for a long time. She could also attest to you that the people sitting around the table listening to you hear you and understand you and want to do what whatever is possible. The Commission is going to be fair. She hoped Mr. Gaddy could find the documentation that he has.

Mr. Curry said he would strongly suggest that you do not contract for any additional environmental work on the site yourself. Staff cannot at this point in time, guarantee that we will help you with that cost. The City has a contractor under contract. They have been to your site and looked and dug some holes. The City is going to do that process at the City's expense to get to the bottom of what is there and what is not there. So he would suggest that the Gaddys not do anything spending their money on environmental problems.

Lydia Gaddy, 313 Grandoaks Drive, Gibsonville, said she had the letter from the company that did the gas and oil tanks. The name of the company is Piedmont Environmental Service, Inc. She thought they were out of business. She said a letter was sent to Ms. Kelly Gage, Guilford County Emergency Service, PO Box 18807 in Greensboro, NC, and she was wondering if that person were with the City and if that person is still here.

Chair Wood said that service was with the County.

Ms. Gaddy said Ms. Gage got the reports. The gas tanks were dug up the first week of March in 1986. The oil tank was dug up in 1992, she could not remember the date.

Chair Wood said the Gaddys should take time to consider the offer. Let staff make copies of those letters and our environmental people will get in touch with the County environmental people and we will take it from there.

Ms. Gaddy said there was a Sunoco gas station there before they bought the property. As far they know all the tanks are up. In 1986, it cost them about \$3,000

Chair Wood said he was going to close the discussion for purposes of moving this forward. He said it had been moved and seconded that the Commission offer the appraised value of \$55,000, subject to the environmental language and other appropriate language, for the property known as 124 East Lee Street. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin Coad, Leimenstoll. Nays: None.)

6. WILLOW OAKS NEIGHBORHOOD:

a. AUTHORIZATION TO MAKE OFFER FOR VOLUNTARY ACQUISITION:

i. 701 Dorgan Avenue.

Ms. Arkin said the appraisal in front of the Commissioners is for 701 Dorgan Avenue. This is a 1,200 square foot owner-occupied single family house on a 9,300 square foot lot located in Development Zone D of Willow Oaks. She said Mr. Curry was pointing to this section on the map. The Commission

had initially purchased the lot contiguous to this from Mr. and Mrs. Foster, who are the current owner-occupants of this property. Awhile thereafter during the infrastructure construction process and as they finalized the design, it became apparent that the Commission would need to purchase some right-of-way from the corner edges of their property, but they actually acquired the right-of-way in January of 2006. As the infrastructure work continued, it became more and more apparent that what we were doing around this piece of property actually has significant impact on this piece of property. They are raising the elevations of three lots around it and they are paving the front of it. The owners have expressed during this process several times their desire to sell and with this last bit of information from the engineers, staff had already gotten an appraisal on this property when we went to purchase the right-of-way and we have told the Fosters that we would request from the Commission authorization to do a voluntary acquisition and make an offer to purchase 701 Dorgan for the appraised value of \$79,500, minus the \$2,000 previously paid for the right-of-way, for a total acquisition price of \$77,500.

Ms. Arkin said they have money that at this point is earmarked for acquisition in the Phase III that can be shifted to purchase this property. We did not anticipate that the grade would end up being as significant as it has ended up being. The owner has asked to sell. The owner's daughter, Debra Martin, is here to speak to the Commission.

Mr. Benjamin asked what would be done with the house. Would it be demolished, the lot graded and then returned or what will happen?

Ms. Arkin said at this point the intention is to remove the house, either by demolition or by moving it. She knew that the Fosters are looking to relocate elsewhere and she had not had a discussion with them about whether they would want to have the house relocated. It is a newer houses and potentially could be relocated or could have some rehabilitation to fit it into the design standards of Willow Oaks and possibly some site work could then be done on the lot itself to bring it up to the same grade as the lots around it, or significantly higher so that there would not be a drainage issue.

In response to a question from Ms. Coad, Ms. Arkin said when we worked on the Master Plan for this area, there were at that time seven owner-occupied houses. Through the developers of the charrettes and the design process, it became apparent that we could design around these houses and could allow the eight owner-occupants to stay, which would meet the intention of the overall plan. The final engineering work was not completed until just before the infrastructure construction started. However, that construction has impacted this property more than anticipated.

Mr. Benjamin asked if the methodology of making a voluntary offer allow them to use relocation money?

Ms. Arkin said that would be staff's choice and yes, we certainly could offer them relocation benefits.

Mr. Leimenstoll moved that the Commission offer the appraised value of \$79,500 for 701 Dorgan Avenue, less the \$2,000 that we have already paid the family to chop off the two corners, for a net offer of \$77,500. Mr. Benjamin seconded the motion.

Mr. Benjamin said the appraisal was over a year old. He was just wondering if we would want to get a new appraisal to be sure we are being absolutely fair to the owner-occupants?

Ms. Arkin said in conversation, the Fosters expressed that they would like to relocate and they would like to do it sooner rather than later, which was one of the things that drove the decision to use the

appraisal that we already had. There is nothing to prevent the Commission from getting another appraisal.

Chair Wood asked if the motion should include that we would offer relocation benefits. He said he would like to offer a friendly amendment to the motion that the Commission offer relocation benefits. Mr. Leimenstoll accepted the amendment motion by Chair Wood and Mr. Benjamin seconded the amended motion.

Chair Wood reiterated the motion on the floor.

Debra Martin, 3301 Argyle Lane, said she was the daughter of Percy and Yvonia Foster who live at 701 Dorgan. She appreciated very much the Commission's consideration. She explained her father's severe medical condition and some things that could not be done and what could be done to keep her father alive. She is supposed to meet with the doctor tonight and he will be there until 8 o'clock. She also appreciated very much the fairness she had heard in this room tonight. She did not take personally that this went wrong, but she has her mom and dad to consider first. Whoever decided was the paid professional and should have seen this coming and not put her parents through this. Her mom is a kidney recipient and she just brought her mother back from Baptist Hospital last week. She is doing well, but the stress of all of this is not something either one of them can handle. She is involved as their power-of-attorney. She said her parents had been told originally that they would not have to move so they were not concerned. Unfortunately in the last two years, all of this came about. They initially said, "Let us go," and they were told - and she was part of that meeting with Ms. Arkin and Mr. Land - that unfortunately when they came back that there were no monies available for them to move at that time. That is when the process of chopping off the land began. It looks like a minefield where they live. This is terrifying for them. They have nowhere to go. What makes it even more difficult they adopted a special needs child 17 years ago that is a part of this equation. So you are not just displacing two older people, there is a 17 year old special needs child that is with them that we cannot just erase and say, "Andre, you have to go somewhere else." The house is in good condition, but it is 17 years old. Since that appraisal a year and a half ago, because they were told they would not have to move, they went ahead and got in more debt by having a roof fixed on that house. Their heating and air conditioning went out and they charged over \$3,000 on a credit card because they had to be warm and had to have new carpet installed in one room. They were only doing what was necessary. So while she appreciated the offer and understands how it came about, she personally had instructed them long ago, "Don't just sit down for this. Some other things can be done because of your health." She read the HUD guidelines, she read the appeals process, she knew what could have been done not necessarily to stop it, but to at least help them understand. This is a special situation and it cannot be treated just like those people who were across the street who had young families and could possibly pick up and relocate. This is devastating and it will touch so many lives. So when you think about all of those issues, had they known, they would not have put a roof on the house. Had they known, they would not have gotten that air conditioning. They are in debt now and she could give the Commission the paperwork to justify over \$10,000 extra that would not have been incurred had they been told then that this was not going to be a situation where you can stay. So she appreciated any consideration that you can give them and understanding that you have two people that are severely ill, a 17-year-old special needs child and one daughter who has to help them.

Chair Wood moved that the Redevelopment Commission go into Executive Session to discuss the matter of the acquisition of this property. Mr. Leimenstoll seconded the motion. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

At that point, the Commission went into Executive Session.

The Commission came out of Executive Session.

Chair Wood told Ms. Martin that, for the record, the Commissioners had a discussion during the Executive Session and it is the will of the Commissioners that they feel the public should be aware of the type of things that they have to be aware of. It was discussed in the Session that the Commission realizes that your family was made less than whole and we had some remedies that they could offer for this. It was brought up from several different angles that the relocation expenditures that the Commission offers would probably be more than enough to compensate for the additional expenditures. But what the Commission ended up deciding is to make the following offer in open session.

Mr. Benjamin said they wanted to offer you as a voluntary acquisition of your mom and dad's property using the appraisal from March 22, 2005, less the \$2,000 previously paid, plus the relocation package, which is good, plus any other substantiated value up to \$10,000 for the roof-type of expenses incurred since the date of the appraisal and this is trying to keep Mr. and Mrs. Foster whole since that appraisal was done.

Chair Wood said Ms. Martin would have to document the Fosters' expenses for the roof, heat and air conditioning and carpet, etc.

Ms. Martin said she very much appreciated that. She did not understand what is in the relocation package.

Mr. Benjamin said it was one of those things that is very confusing, but he had had clients who had received it and she would love it. He said he was also an accountant; so let him be an accountant for a second. It is really complicated because actually what is going to happen in practical terms by extending what we just said, is that the relocation package and your numbers are going to stay the same and you are still going to get the benefits, but it is hard to understand until you see it down on paper. So Mr. and Mrs. Foster are going to have a lot of assistance and there are people on staff here to help them with this whole thing.

Chair Wood said it had been moved and seconded that the Commission offer the appraised value of \$79,500, less the \$2,000 already paid to the family, plus any documented capital expenditures incurred after the appraisal, not to exceed \$10,000, plus a balance that is made up by relocation benefits for the property known as 701 Dorgan Avenue. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

5. SOUTH ELM STREET NEIGHBORHOOD (continued)

b. UPDATE ON REDEVELOPMENT PLAN.

c. UPDATE ON PROPERTY COMPARISON CHART.

Mr. Benjamin moved the continuance of 5a and 5b, requesting Ms. Harris to send specifics to the Commissioners by mail or email for the Commissioners' consideration.

7. ADDITIONAL BUSINESS.

Mr. Land said in 2004 the Commission authorized staff to make an offer of \$13,000, the appraised value, on 519 Arlington St., which is in the Ole Asheboro Neighborhood.

Ms. Harris said the owner said they wanted to get their own appraisal. They never did. So the Commission authorized condemnation. The condemnation hearing is set for June 25, 2006. At this time, however, Mr. Lane, through his attorney, has submitted his own appraisal, which values the property at \$18,500. Staff is asking the Commission to increase the offer amount to \$18,500 due to the fact that our attorney has advised that we will actually spend more by going through the condemnation process.

Mr. Benjamin said he happened to agree. He moved that the Commission utilized the owner's appraised value of \$18,500 for the property located at 519 Arlington St. Ms. Coad seconded the motion. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

* * * * *

There being no further business before the Commission, upon motion, duly made and seconded and unanimously passed, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Dan Curry, Assistant Secretary
Greensboro Redevelopment Commission

DC/jd.ps

**RESOLUTION OF
REDEVELOPMENT COMMISSION OF GREENSBORO
AUTHORIZING AMENDMENT TO REDEVELOPMENT PLAN FOR
CUMBERLAND PROJECT**

WHEREAS, the Redevelopment Commission of Greensboro (“Commission”) originally prepared and adopted Redevelopment Plan for the Cumberland Project Redevelopment Area, said area consisting in total 92.7 acres, which was further approved by the City Council of the City of Greensboro in October 1959 and further subsequently amended in October 1965 all relating to the Cumberland Redevelopment Area consisting of approximately 92.7 acres all in accordance with North Carolina General Statute §160A-500 et seq; and

WHEREAS, in carrying out the purposes of said Plan the Commission recorded a plat in Plat Book 34, Page 68, Guilford County Public Registry for Cumberland Project Section 1 which was further subject to Restrictions and Controls relating to the uses of properties in the Cumberland Project which restrictions were recorded in Book 1943, Page 17, Guilford County Public Registry; and

WHEREAS, the restrictions, controls and uses for properties located within Block 9 of the Cumberland Project Section 1 as set forth on the above described plat restricted uses as to said properties for wholesale and light industrial uses; and

WHEREAS, it has been proposed that the Cumberland Project Redevelopment Plan be amended to allow mixed uses on said above described property; and

WHEREAS, after due notice published in accordance with North Carolina General Statute §160A-513 it is proposed that the Cumberland Project Redevelopment Plan be amended as hereinafter set forth and the proposed Amendment to the Cumberland Project Redevelopment Plan subsequent thereto be submitted for review by the Planning Board of the City of Greensboro and approval by the City Council of the City of Greensboro all in accordance with North Carolina General Statute §160A-513.

NOW, THEREFORE, be it resolved by the Redevelopment Commission of Greensboro:

1. Redevelopment Plan for the Cumberland Project be amended to provide for amendment to land use provisions and building requirements, amendment to the land use plan and amendment to proposed zoning all as set forth in the Amendment to Redevelopment Plan for Cumberland Project, a copy of which is attached hereto and incorporated herein by reference;
2. In accordance with North Carolina General Statutes §160A-513 that the Amendment to Redevelopment Plan for Cumberland Project be considered for review by the Planning Board of the City of Greensboro and approval and adoption by the City Council of the City of Greensboro;

3. Upon approval of said Amendment to Redevelopment Plan for Cumberland Project that the Officers of the Commission are authorized to execute and have recorded at the Register of Deeds of Guilford County provisions of said Amendment to the Redevelopment Plan for Cumberland Project as it pertains to heretofore recorded Restrictions and Controls recorded in Book 1943, Page 17, Guilford County Public Registry; and
4. Copy of this Resolution be attached to the Minutes of the Redevelopment Commission of Greensboro.